

### **Listing of Claims**

1. (Currently amended) A purified p28ING5 tumor suppressor protein having a sequence comprising amino acid residues 1-13 and ~~227222~~240 of SEQ ID NO: 2, ~~or a sequence having one or more conservative substitutions thereof~~ wherein the sequence has at least 85% sequence identity over the entire length of SEQ ID NO: 2.

2. (Currently amended) ~~A purified p28ING5~~ The tumor suppressor protein of claim 1, ~~wherein the tumor suppressor protein comprises~~ having a the sequence comprising the amino acid sequence set forth as of SEQ ID NO: 2.

3. (Withdrawn) A recombinant polynucleotide encoding the protein of claim 1.

4. (Withdrawn) The recombinant polynucleotide of claim 3, wherein the recombinant polynucleotide has a sequence comprising SEQ ID NO: 1.

5. (Withdrawn) A recombinant nucleic acid molecule comprising a promoter sequence operably linked to the recombinant polynucleotide of claim 3.

6. (Withdrawn) The recombinant nucleic acid molecule of claim 5, wherein the recombinant polynucleotide is in antisense orientation relative to the promoter sequence.

7. (Withdrawn) A recombinant vector comprising the recombinant nucleic acid molecule of claim 5.

8. (Withdrawn) A cell transfected with the recombinant nucleic acid molecule of claim 5.

9. (Withdrawn) A cell transfected with the recombinant vector of claim 7.

10. (Withdrawn) A transgenic non-human animal, comprising the cell of claim 8.

11. (Withdrawn and currently amended) ~~The A recombinant polynucleotide of claim 3~~, wherein the recombinant polynucleotide is at least 10 nucleotides in length and specifically hybridizes under low stringency conditions to nucleotide residues ~~3-41 or 684~~666-722 of SEQ ID NO: 1.

12. (Canceled)

13. (Withdrawn and currently amended) The recombinant ~~polynucleotide~~oligonucleotide according to claim 11, wherein the recombinant polynucleotide ~~oligonucleotide~~ comprises is at least 10 contiguous nucleotides of the nucleotides ~~684~~666-722 of the sequence set forth as SEQ ID NO: 1, or a variant thereof, that hybridizes to SEQ ID NO: 1 under high stringency conditions.

14. (Canceled)

15. (Withdrawn and currently amended) The recombinant polynucleotide~~isolated oligonucleotide~~ according to claim 11, wherein the recombinant polynucleotide ~~is oligonucleotide~~ comprises at least 20 contiguous nucleotides of the nucleotides ~~684~~666-722 of the sequence set forth as SEQ ID NO: 1, or a variant thereof, that hybridizes to SEQ ID NO: 1 under high stringency conditions.

16-17. (Canceled)

18. (Withdrawn and currently amended) The recombinant polynucleotide ~~oligonucleotide~~ according to claim 11, wherein the recombinant polynucleotide ~~oligonucleotide~~ hybridizes with a nucleic acid sequence comprising nucleotides ~~684~~666-722 of the sequence as set forth in SEQ ID NO: 1 under wash conditions of 65° C, 0.5X SSC and 0.1% SDS.

19. (Withdrawn and currently amended) The recombinant ~~polynucleotide~~oligonucleotide according to claim 11, wherein the recombinant polynucleotide ~~oligonucleotide~~ hybridizes with a nucleic acid sequence comprising nucleotides ~~684~~666-722 of

the sequence as set forth in SEQ ID NO: 1 under wash conditions of 55° C, 2.0X SSC and 0.1% SDS.

20. (Withdrawn and currently amended) A method of inhibiting cellular proliferation, comprising:

transfecting a cell with an expression vector comprising a promoter operably linked to a nucleotide sequence comprising nucleotides 3-41 and ~~684~~666-722 of the recombinant polynucleotide of claim 4, thereby inhibiting cellular proliferation.

21. (Withdrawn and currently amended) The method of claim 20, wherein the expression vector comprises a promoter operably linked to ~~a~~the nucleic acid sequence as set forth in SEQ ID NO: 1, or a conservative substitution thereof.

22. (Withdrawn) A method of inhibiting cellular proliferation, comprising: contacting a cell with the protein of claim 1, thereby inhibiting cellular proliferation.

23. (Withdrawn) The method of claim 22, wherein the protein has an amino acid sequence comprising the sequence set forth in SEQ ID NO: 2, or a conservative substitution thereof.

24. (Withdrawn) A method for enhancing cellular proliferation, comprising transfecting a cell with an expression vector comprising the recombinant nucleic acid molecule of claim 6.

25. (Withdrawn and currently amended) The method of claim 24, wherein the expression vector comprises ~~a~~the nucleotide sequence as set forth in SEQ ID NO: 1, or a conservative substitution thereof, operably linked to a promoter sequence.

26. (Withdrawn and currently amended) A specific binding agent that specifically binds an epitope of the protein ~~encoded by the protein~~ of claim 2.

27. (Withdrawn and currently amended) A method of screening for an agent that modulates p28ING5 tumor suppressor activity, the method comprising:

transfecting a cell with an expression vector, wherein the expression vector comprises the recombinant polynucleotide of claim 4, or a conservative substitution thereof, operably linked to a promoter sequence;

contacting the cell with a test agent; and

detecting a change in ~~the~~ level of expression of the p28ING5 protein, wherein a the change in the level is indicative that the test agent is an agent that modulates the expression of the p28ING5 tumor suppressor protein, thereby screening for an agent that modulates p28ING5 tumor suppressor activity.

28 (Withdrawn and currently amended) A method of detecting expression of a p28ING5 tumor suppressor protein in a biological sample, comprising:

amplifying the recombinant polynucleotide of claim 4, or a conservative substitution thereof, with two or more oligonucleotide primers that specifically bind the recombinant polynucleotide; and

detecting a level of an amplified product{[.]};

thereby detecting the expression of the p28ING5 tumor suppressor protein.

29. (Withdrawn) A method of diagnosing the presence of a tumor in a subject, comprising:

amplifying the recombinant polynucleotide of claim 4, or a conservative substitution thereof, in a sample using two or more oligonucleotide primers that specifically bind the recombinant polynucleotide;

detecting an amplified product if one is produced, wherein absence of the amplified product is indicative of the presence of a tumor in a subject.

30. (Withdrawn) The method of claim 29, wherein the tumor comprises a breast tumor, a lung tumor, a colon tumor, a pancreatic tumor, a liver tumor, a brain tumor, a skin tumor, a prostate tumor, a testicular tumor, an ovarian tumor, a stomach tumor, or a tumor of the blood.

31. (Withdrawn) The method of claim 29, wherein the subject is a human.
32. (Withdrawn) The method of claim 29, wherein the sample comprises blood, a blood product, urine, saliva, a tissue biopsy, a surgical specimen, an amniocentesis sample, or autopsy material.
33. (Withdrawn and currently amended) The method of claim 29, further comprising reverse transcribing a mRNA having ~~a~~the sequence as shown in SEQ ID NO: 1, or a conservative substitution thereof, in the sample.
34. (Withdrawn) The method of claim 29, further comprising identifying a change in the level of the amplified product compared to a second sample, or identifying a mutation in the amplified product.
35. (Withdrawn) The method of claim 34, wherein identifying a change in the level of amplified product comprises Southern blot analysis, quantitative polymerase chain reaction or semi-quantitative polymerase chain reaction.
36. (Withdrawn) The method of claim 34, wherein identifying a mutation in the amplified product comprises sequencing, chemical cleavage, denaturing gradient gel electrophoresis, or hybridization with allele specific oligonucleotides.
37. (Withdrawn and currently amended) A method of treating a neoplasm, comprising contacting a neoplastic cell with the protein of claim [[2]]1, or a conservative substitution thereof.
38. (Withdrawn) An *in vitro* assay kit for determining whether or not a subject has a biological condition associated with p28ING5 expression by detecting an underabundance of p28ING5 protein in a sample of tissue and/or body fluids from the subject, comprising:  
a container comprising an antibody specific for p28ING5 protein; and

instructions for using the kit, the instructions indicating steps for performing a method to detect the presence of p28ING5 protein in the sample; and analyzing data generated by the method, wherein the instructions indicate that underabundance of p28ING5 protein in the sample indicates that the individual has the biological condition.

39. (Canceled)

40. (Withdrawn) The recombinant polynucleotide of claim 3, wherein the recombinant polynucleotide has a sequence comprising nucleotide residues 3-41 of SEQ ID NO: 1.

41. (Withdrawn and currently amended) The recombinant polynucleotide of claim 3, wherein the recombinant polynucleotide has a sequence comprising nucleotide residues ~~684~~666-722 of SEQ ID NO: 1.

42. (Withdrawn and currently amended) The recombinant polynucleotide of claim 3, wherein the recombinant polynucleotide has a sequence comprising nucleotide residues 3-41 and ~~684~~666-722 of SEQ ID NO: 1.

43. (Previously presented) A composition comprising the tumor suppressor protein of claim 1.

44. (New) A composition comprising the tumor suppressor protein of claim 2.

45. (New) The tumor suppressor protein of claim 1, wherein the sequence has at least 90% sequence identity over the entire length of SEQ ID NO: 2.

46. (New) The tumor suppressor protein of claim 1, wherein the sequence has at least 95% sequence identity over the entire length of SEQ ID NO: 2.

47. (New) The tumor suppressor protein of claim 1, wherein the sequence has at least 98% sequence identity over the entire length of SEQ ID NO: 2.

48. (New) The tumor suppressor protein of claim 1, wherein the protein has tumor suppressor activity.